The A. F. of L. Weekly News Service gives news, comments and editorial interpretations of matters affecting labor-occurring in the legislative, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR
WEEKLY NEWS SERVICE

Entered as second-class matter September 29, 1913, at the Post Office at Washington, D. C., under the Act of August 24, 1912. Acceptance for mailing at special rate of postage provided for in Sec. 1103, Act of October 3, 1917, authorized July 12, 1918.

WHOLE NO. 1897 — WILLIAM GREEN, President — WASHINGTON, D. C., TUESDAY, AUGUST 19, 1947 — GEORGE MEANY, Secretary-Treasurer — VOL. 37, NO. 33

LABOR'S GOAL!
To Repeal Taft-Hartley Law

BULLETIN NO. 5

(This is the fifth bulletin issued by the American Federation of Labor explaining the Taft-Hartley Act. It was prepared by the office of its General Counsel, Joseph A. Padway.)

CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE TAFT-HARTLEY ACT. INCLUDES INJUNCTIONS AND LOSS OF RIGHTS.

There have been many inquiries as to just what might happen in case any provision of the Taft-Hartley Act is violated or otherwise disobeyed. This Bulletin is designed to inform unions what penalties particular violations of the new law involve. Included will be a discussion of what violations involve criminal penalties, what violations involve injunction suits, what violations involve suits for damages, what violations involve loss of and denial of rights, and what violations involve loss of status or protections under the act.

1. CRIMINAL PENALTIES

There are four acts which involve a criminal penalty of fine or imprisonment or both. These are:

(1) Violation of Section 302 of the law which makes it unlawful for any employer to pay or agree to pay any money or other thing of value to any representative or for such representative to receive or agree to receive money or any other thing of value. Certain payments are excepted, however. Among them are payments to trust and welfare funds made under certain conditions, and payments of membership dues in the check-off of membership dues, if the check-off is individually authorized by the union member. The penalty for a violation of Section 302 is a fine of not more than $10,000.00 or imprisonment for not more than one year, or both.

(2) Violations of the prohibitions against political contributions and expenditures (Section 304). Labor organizations can be penalized by a fine of not more than $5,000.00 for each violation of this section, and an officer of a labor organization who violates this section can be penalized by a fine of not more than $1,000.00 or imprisonment for not more than one year, or both.

(3) Falsification of an affidavit by an officer of a labor organization certifying that such officer is not a member of the Communist Party or not affiliated with such party, and does not believe in, and is not a member of or supports any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional method. The penalty for the falsification of such an affidavit is a fine of not more than $10,000.00 or imprisonment of not more than one year, or both.

(4) As under the old law, interferences with any member of the board or any of its agencies in the performance of duties pursuant to the act is punishable as a criminal offense. The penalty that may be inflicted is a fine of not more than $5,000.00 or imprisonment for not more than one year, or both.

2. INJUNCTIONS

An injunction can be obtained by a private employer in only one instance under the act, and that is to prevent the making or enforcement of welfare or trust fund agreements or check-off agreements which are in violation of Section 302. In no other instance can a private employer obtain an injunction in the federal courts to prevent any violation or threat of violation of the provisions of the Taft-Hartley Act.

On the other hand, the new Labor Board has very great power to obtain injunctions against violations in unfair labor practice cases. In one class of cases the board has a discretion as to whether it will seek an injunction. The discretionary type of case is as follows: After a complaint has been issued against either a union or an employer charging the commission of unfair practice provisions of Section 8, the new board is authorized to apply to a federal court for an injunction restraining the commission of such alleged practices until after the board has determined the case on its merits. This it should be noted, applies to both employers and unions. Under the new designations of "Union Unfair Practices," many additional and heretofore lawful activities of labor organizations are declared unlawful, and the board may proceed to obtain injunctions where no injunctions could previously have been issued. Thus, injunctions could be secured against picketing by the board to prohibit jurisdictional strikes and boycotts, as defined in the act, as prevent so-called interference with employers in the exercise of their rights not to belong to a union, or to prevent attempts to enforce a union-security agreement not meeting all the requirements of the act.

The mandatory type of case, where the board is required to seek an injunction, is as follows: In any case where a charge has been filed alleging that the union is engaging in an unlawful strike or jurisdictional strike, even though a complaint has not yet been issued, the board must go into court for a temporary injunction if it thinks the charge has any substance.

The only other injunction which can be obtained against unions under the act is by the Attorney General of the United States to enjoin a strike which a so-called national emergency situation as described under Sections 206-208 of Title II. A national emergency strike is one which in its entire nature, country or substantial part thereof, and whose continuance will imperil the national health and safety. Such an injunction is temporary only and the injunction until after the President has taken notice of the strike, has appointed a Board of Inquiry, the Board of Inquiry has reported, and it is determined that the strike is one which imperils the national health and safety. Apparently, such an injunction could be in force for a period of 80 days, during which time various conciliation and mediation steps are taken.

3. CIVIL PENALTIES

Unions can be sued for damages by private employers or any other persons injured in their business or property by union activity in the following two general classes:

1. Where a union has violated an existing collective bargaining agreement. (Employers are likewise subject to suit for damages for their violations.)

2. Where a union has engaged in any of the boycotts and jurisdictional strikes as defined in Section 303 (discussed in Bulletins 1 and 2).

These are the only instances in which damage suits against unions are specifically authorized by the act.

4. CEASE AND DESIST ORDERS

A cease and desist order is one issued by the new Labor Board to prevent the continuance or recurrence of any unfair labor practice which the board practice as defined in Section 8. It can be issued only after the issuance of a complaint, the holding of hearings thereon, and a finding by the board that it simply states that the union shall not engage in such practices in the future. Refusal to comply with this kind of order is punishable as contempt. Such an order can be enforced only by a proceeding in the Circuit Court of Appeals. After arguments and briefs have been submitted, the court may affirm, modify or reverses the order of the board. If the order is affirmed, then the order must be obeyed under penalty of contempt proceedings which may involve fine and imprisonment.

However, unions (and for that matter, employers too) cannot take refuge in the knowledge that an unfair practice can be engaged in without fear of adverse remedy or punishment until after the case has been carried to the Circuit Court. The new law provides that cases must be heard by the board not now, because the board, as has been explained above, is empowered to go into the courts for injunctions even before a hearing is held on whether unfair practice has been committed.

In addition, the board may require a union to reimburse an employe for any damages, such as loss of pay, suffered by that employe by reason of the fact that the union has engaged in an unfair practice. Such a situation would ordinarily arise where a union has caused the discharge of an employe under a union-security agreement where such discharge was unjustified under the act. In such a case, either the union alone or both the union and the employer might be required to pay the employe a sum in lieu of pay suffered by reason of such discharge.

5. LOSS OF RIGHTS BY UNIONS AND INDIVIDUAL EMPLOYES

Failure to comply with certain sections of the act involves as a penalty the loss or forfeiture of various rights under the act. These situations are as follows:

1. Failure of a union to file financial statements, annual reports and anti-communist affidavits required by the act involves the loss of the right to use whatever protections and benefits and procedures the act might otherwise give. Thus, a union failing to file such reports cannot file a petition for representation or be certified, cannot file charges, cannot enter into or enforce a union-shop contract, and, if a certification has already been issued or a union-shop contract given by craft unions under the act. This has been more fully described in the last section of Bulletin No. 1, to which we have remembered, however, that failure to file does not deprive any individual or union member of rights under the act, and that such persons can file charges and obtain protection against unfair employer practices.

2. Employes lose their status as employes under the act if they engage in a strike during the 60-day "cooling-off" period provided for under the 60-day notice provision of the act. As discussed in Bulletin No. 1, the act requires unions to give a 60-day notice prior to the expiration of a contract if the union desires to modify or terminate it, and during this period the union is prohibited from engaging in a strike. The penalty for engaging in a strike during that period (aside from a lawsuit for breach of contract if the strike constitutes a breach) is that the employe involved in the strike loses his status as employee, and the union is subject to a temporary injunction obtained by the board, as in the case of any unfair labor practice by a union. Loss of status by an employe means that he cannot obtain board protection against employer unfair labor practices and would not be entitled to reinstatement if the strike was caused by an unfair labor practice of the employer.

Randolph Proposes 'No-Contract' Policy To Protect Closed Shops for Printers

Cleveland. — Woodruff Randolph, president of the International Typographical Union, proposed the union follow a policy of refusing to sign contracts as a means of retaining the closed shop and avoiding the strict penalties of the Taft-Hartley law.

Mr. Randolph enunciated the policy in a keynote address before the opening session of the 89th convention of the union. The proposal was well received by the nearly 300 delegates in the conclave.

The policy means that local unions, after discussion with employers, will merely post all the conditions under which their members will work. Any departure from these conditions will be the signal for a cessation of work, Randolph said. The policy was already operative in thirteen states which have statutory prohibitions against closed-shop contracts.

Mr. Randolph told the delegates the union confronted a condition as critical, if not more so, than ever in the history of the ITU." He predicted that there would be a decrease of the freedom to refuse to work with a nonunion printer or to handle nonunion materials.

"We are confronted with no new conquests," the union president declared. "We only want to do what we have been doing for more than a hundred years. We can assure them (the employers) that we will do what comes naturally."

Mr. Randolph, who is trained in the law, stated that union officials would have greater freedom without a contract. He said the union officers will file required financial data and affidavits that they are not Communists but he warned that any local union which goes to the National Labor Relations Board will be "sticking its head in a trap."

"Any local that insists on going there, that's their right, but God help them, we can't," he declared.

The union president asserted that the Taft-Hartley Publicity provision had suggested a joint committee of employers with the union, but contended that it would be futile until the employers' committee carried some authority to act.

Truman Deplores Rape of Labor Dept.; Blames Reactionary 80th Congress

Washington, D. C.—President Truman accused the Republican-controlled 80th Congress of tearing down the Labor Department.

The President's remark was made at Mr. Truman's press conference in response to an inquiry whether he believed that Congress had "raped" the Labor Department. Mr. Truman added that the Labor Department could not be taken apart permanently than any other department.

Asked whether the Republican platform of 1944 had not promised decentralization of the various activities dealing with labor under one department, the President replied that that was correct. He added that he could recite chapter and verse in proof of his remarks.

When a reporter asked if the action of Congress had not repudiated the Republican platform the President said that the Republican record speaks for itself.

For Labor Day Editions:

Labor Doing Great Job for All People

By LEWIS B. SCHWELLENBACH
U. S. Secretary of Labor

Labor's Labor Holiday, on Monday, September 1, this year, is appropriately a holiday for all the people, just as labor's aims and programs are for the benefit of the country as a whole.

The prestige and dignity of labor have certainly risen since 1941, when the first Labor Day celebration was held in New York City on Governor T. McGuire's motion. The progress made is due to the vital force of organized labor, the very reason for this day's celebrations over the land.

The achievements of the present and the problems of the future are uppermost in our minds today. We would like to call attention again to certain outstanding and essential facts that bear on both points.

One is the surprising amount of peace in industry, even during such a period of stress and change as we have been passing in the last two years.

Another is our great record of production, which is the key to prosperity. Production is the great stabilizer, the provider of goods and jobs. And goods and jobs are necessary to meet the needs of the people and needed to cope with the great problems ahead. Considering our difficulties with prices and supplies of materials, the cooperation between labor and management—has done one of the greatest tasks in history, in achieving a high level of employment and output.

In this period, the Government's part, properly, has been to demobilize as rapidly as possible, to reconvert war-time economy would not retard our economy, and to aid our veterans and help the war-stricken people of other lands.

The Department of Labor has helped with vital and accurate information and the services provided by the Employment Service. The Department proposes to improve its facilities and extend its usefulness to wage earners in the months and years ahead.

After V-J Day we set our faces toward a free economy, and we have kept on our course with few deviations.

Organized labor by its strength has helped the nation to keep up with mounting prices and has contributed to the stabilization of wages that are so necessary for continued prosperity.

In this period of reconversion, labor helped to develop an efficient labor force which would help increase productivity in resuming its increase in output, which is the key to prosperity, and not to seek answers to problems that anyone else now.

Directing the NLRB members never to forget that they were part of the Executive branch, the President said for Ball.

The Labor Department was hard hit by new Congressional drastic appropriations. The Conciliation Service, formerly with the Labor Department, has been reconstituted under the Taft-Hartley Act as a federal agency. The Conciliation Service was made an independent agency. The Federal Mediation Service, which was under the Labor Department, is also now an independent board. The Federal Security Agency when the war was over, was made a part of the Labor Department functions were severely curtailed through reduced appropriations at the hands of Labor Statistics, Division of Labor Standards, and the Children's Bureau.

In an effort to build up the status of the Labor Department, the President announced he was contemplating the transfer of the Employment Service, now "temporarily" in the Federal Security Administration.

U. S. Hits At Price Fixing In Drive Against Monopoly

Charges Steel, Rubber, Movie Industries Control Prices

Washington, D. C.—The Government first held barrels of a shotgun aimed at the price-fixing methods employed by Big Business.

Swinging into action on a campaign to discover if the present high price level is due to conspiracy on the part of business leaders and corporations, Federal officials singled out the huge iron and steel industry as the number one target.

The Federal Trade Commission issued a complaint against the American Iron and Steel Institute and its 100-odd members charging they had destroyed competition and penalized steel consumers by fixing identical prices.

In parallel actions the Justice Department charged the existence of monopoly control in the rubber tire and color movie industries and filed suits in Pittsburgh against seven big Rubber Manufacturers Association, Technicolor, and the Eastman Kodak Company.

In its complaint against the steel industry, the FTC said the industry's domination described as "the basic industry of industries" by Government pointed to the steel price rise this month as an example. The corporations specifically named in the complaint control 94 per cent of the steel ingot capacity and dominate the market through the Iron and Steel Institute.

The FTC said that "producer-recommended" delivered prices include an increase through the officers of the Institute, "notwithstanding that it is said, estimated the increase at "hundreds of millions of dollars."

Thus, the FTC said, the producers are free to practice fraudulent and destroy price competition among themselves, and thereby to maintain and manipulate the markets in which they sell their products, and consumers must buy such goods."

Attorney General Tom C. Clark said the actions against the rubber manufacturers and the movie concern were part of the Justice Department's fight against industrial monopolies.

Clark charged the tire companies with cooperation on production, bases, warranties, types of tires, and with "parallel action" in their purchase of fixing prices and cutting out competition.

The suit was filed, according to the Justice Department, after its investigation prompted by the receipt of numerous complaints from independent tire dealers. The small business dealers claimed they were forced to absorb much of the recent price rebates on tires through the exchange of list prices and dealers' discounts. This action came at a time when the manufacturers were enjoying record profits.

Technicolor, Inc., and the Eastman Kodak Company were charged with monopolizing the production of color movie business and to keep other companies out of the field.

The Government's action points to the fact that industry, by combining to sabotage Federal price control, will succeed in keeping prices high, has eagerly adopted control measures of its own for the ostensible purpose of keeping prices up and making the harmless consumer foot the bill.

President Warns NLRB Members Against Efforts of Politicians to Interpret Law

Washington, D. C.—President Truman protested strenuously against the interference of Senator Joseph R. Ball and some other members of the Joint Congressional Committee, appointed to oversee the Taft-Hartley law, to have the National Labor Relations Board seek the committee's advice and guidance in interpreting the law.

Without objecting to cooperation on the part of the NLRB, the President made it plain that he regards the board as part of the executive branch of government and that it is responsible to him.

President Truman told the board members point blank that they were to do their own interpreting of the law, as the statute had been passed by Congress. NLRB members would have to expound the law according to the way in which it was written by Congress and not to seek answers to problems that anyone else now.

Directing the NLRB members never to forget that they were part of the Executive branch, the President said for Ball.

NLRB Issues Non-'Red' Affidavit Forms Required Under New Anti-Labor Law

Washington, D. C.—Robert N. Denham, General Counsel for the National Labor Relations Board, announced the issuance and availability of non-Communist affidavit forms required by the Taft-Hartley law.

The law provides that union officers file the affidavits with the board can (1) process a petition for representation or (2) file an unfair labor practice complaint, or (3) engage in the services of the board in a representation election.

Mr. Denham stated that officers of national, international and parent labor organizations should file the affidavit forms with the Washington office of the board. Officers of local unions are to file affidavit forms with the board's Regional or Field Examiner office which would normally act on their cases.

The one-page affidavit form carries the following statement: "I am not a member of the Communist Party or affiliated with such party. I do not believe in and I am not a member of or support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional method."

FULL EMPLOYMENT IS AFL RADIO TOPIC

Washington, D. C.—The question "Can Full Employment Be Maintained?" will be discussed on the regular AFL radio broadcast scheduled for August 24.

Participants in the discussion will be Boris Shishkin, AFL Economist, James A. Brownell, Secretary-Treasurer of the AFL's Metal Trades Department, and Philip Pearl, AFL Publicity Director.

The program originates in Washington at 6:45 P.M. Eastern Daylight Time and is heard over the nation-wide network of the American Broadcasting Company. Consult your local paper for the exact time of the broadcast in your community.

At the bottom of the affidavit form appears this warning: "Any fraudulent statement or misrepresentation in this affidavit is subject to punishment." Conviction is a felony and, if upon trial, national and/or local constitutional rights.

Union officers, Mr. Denham added, must execute affidavits every year. Also, new affidavits must be filed after the election of any union officers and whenever there is a change in officers.

TORONTO CLEANING FIRM SIGNS FIRST AFL CONTRACT

Toronto, Canada.—The AFL organizing campaign in the Canadian province in its campaign to organize workers in the dry cleaning and refrigeration, cleaning and dyeing, and laundering industries.

Notable success was achieved in the dry cleaning industry with the signing of the largest plant in Canada, Langley's, Ltd., signed a favorable contract with the AFL and became the first unionized plant in Canada.

The contract provides for a 40-hour work week; 5 to 20 cents an hour more pay for hourly paid workers and a 20 percent increase for piece workers; time and a half for overtime; irrevocable check-off of dues; seniority rights and job protection.

CATHOLIC DIOCESE URGED TO EMPLOY UNION LABOR

New Haven, Conn.—A policy of employing union labor on all construction projects of Catholic institutions has been promulgated by Bishop Henry J. O'Brien, Bishop of the Hartford diocese of the Roman Catholic Church.

In a letter to all Catholic pastors in the state, the Bishop said, "all churches, parishes, institutions and corporations ought to employ union labor in all new building, repairing and alterations."

The Bishop's letter referred specifically to the building trades.

Congressional Foes of Labor Strike Gold 'Explaining' Law

Washington, D. C.—The Scripps-Howard papers, which are far from sympathetic to labor, carried a remarkable story. It bore the intriguing headline "Make a Law? Then Explain for a Fee."

It revealed that the champions of the Taft-Hartley anti-labor act have "several pay dirt" and are making a "gold mine" out of speeches to employer associations on what the new law means. So far, the Scripps-Howard statement has not been challenged.

As an example, the paper cited a two-day seminar on the act scheduled by the Indiana Chamber of Commerce, at which Hartley is to be the "paid speaker."

Senator "Little Joe" Ball of Minnesota, one of the chief crusaders for the anti-labor legislation, is also harnessing "explaining" the law.

In fact, the Scripps-Howard story disclosed that he has so many engagements he was unable to fill a Cleveland speaking date. "Ball offered it to another GOP colleague and told him the fee was $1,000," the article declared.

Thus, Ball, Hartley and other members of Congress are adding to their $15,000 salaries to their bank accounts "for services rendered" by themselves helped to frame.

All sorts of labor relations and research agencies have written fat books "explaining" the law, and have offered other special "explanatory" services to employers, all at fancy prices, but apparently there's plenty of labor to provide further enlightenment—at $1,000 an "explanation."

Ball has always been thrifty, and now, in addition to his $15,000 salary, he has his wife on the payroll as his secretary at over $5,000 a year.

Thus, between them they're drawing over $20,000 a year in pay, plus mileage and other perquisites, plus a golden round of lecture fees that might even exceed their salary income.

As one sage observer in Congress remarked: "Crusading against labor is sure a well-paying business."

Green Sees Holiday On '48 Election Day

Green Bay, Wis.—AFL President William Green said a holiday for 10,000,000 workers on Election Day in 1948 will highlight the AFL's campaign to get the country's available vote against members of Congress who voted for the Taft-Hartley law.

At a news conference before he addressed the annual picnic of the Wisconsin Federation of Labor, Mr. Green forecast a nation-wide intensive campaign of political action in AFL ranks. He said that many of Congressmen who approved the bill would be defeated, stating that the power had been the workers "so aroused."

Efforts of the AFL machinery are scheduled for discussion at a meeting of the AFL Executive Council in Chicago, Mr. Green said. He added that workers in essential services would remain at work.

S. CAROLINA LABOR LEADERS APPOINTED TO RENT BOARDS

Charleston, S. C.—Efforts of the South Carolina Federation of Labor met with success in the announcement by Governor Thurmond that labor representatives had been named as members on 9 of the 7 Rent Control Advisory Boards established in that state.

Areas in which labor representation was obtained are Charleston, Columbia, Georgetown, Greenville, and Spartanburg.

Included among the labor members of the rent boards is Earle K. Britton, president, South Carolina Federation of Labor.

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AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

WILLIAM GREEN, President — WASHINGTON, D. C., FRIDAY, AUGUST 22, 1947 — GEORGE MEANY, Secretary-Treasurer

LABOR'S GOAL! To Repeal Taft-Hartley Law

LABOR DAY MESSAGE

The following statement by the President must be held in confidence until released. Release is for all regular editions of newspapers on the Pacific coast not earlier than 4:00 o'clock P.M., Eastern Daylight Time, Saturday, August 30, 1947.

PLEASE GUARD AGAINST PREMATURE PUBLICATION

By HARRY S. TRUMAN
President of the United States

Labor Day offers us a yearly opportunity to pay tribute to the contribution the free working men and women of the United States have made to their country's progress, prosperity and world leadership. This Labor Day of 1947, two years after we defeated our enemies in battle, is an appropriate moment for us to evaluate our accomplishments during war and reconversion, and to plan for the peace we still must win. Labor Day, therefore, should be a holiday not alone for celebration of past accomplishments, but for dedication to the future, and to the hope which that future holds for mankind.

The organized labor movement of America has rewarded working men and women with higher wages, shorter hours and improved working and living conditions. But these rewards have been possible only because, as unions grew stronger, they developed increasing responsibility for helping the whole of industry to turn. Wherever a responsible labor movement flourishes, there industry prospers, production increases, and the living standards of the community, state or region improve.

The right to join a union of one's own choice is unquestioned today, and is sanctioned and protected by law. The bargaining table at which labor and management sit to work out their common problems is indispensable to our democracy, and must be safeguarded against any attempts by misguided or ill-intentioned groups or individuals to weaken or replace it.

Good labor relations, however, cannot be brought about by legislation. They are created by the free and union-concerned, cooperating sincerely and earnestly within the framework of a minimum amount of regulatory law. I believe that enlightened labor and enlightened management, working together, can accomplish far more by peaceful bargaining than is possible through legislation. Cooperation by labor and management, in a spirit of honest concern for the welfare of the whole, will speed the day when strikes and lockouts are discarded, and will safeguard labor's freedoms to solve its problems without restrictive Government regulation.

Government, also, has a responsibility for promoting the welfare of all the people by policies which avoid economic injustice and inequity. In order to enable the Government to discharge its constitutional and legal duties, the Department of Labor must be adequately staffed, and be given jurisdiction over those governmental functions which are an appropriate part of a department created to foster, promote, and develop the welfare of the wage earners of the United States. Millions of our unorganized workers are living, in this day of high national income and high profits, on substandard wages. A prompt increase in the minimum wage rate is needed. Our social security system can and must be broadened by extending its benefits to a greater number. Nor can we long delay wise and practicable legislation to provide the establishment of an adequate system of health insurance. All these problems deserve the attention of the Congress early in its next session.

It is fitting that on Labor Day we should acknowledge the debt this country owes to its workers of hand and mind, and that at the same time we should rededicate our common responsibility to preserve and strengthen the democratic principles which have made labor and the Nation strong.

ILGWU Signs New 'No-Strike' Contract; Gets Security, Arbitration of Disputes

New York City—The International Ladies Garment Workers Union announced the signing of a labor agreement under which all disputes are to be resolved through arbitration and both sides renounce the right to seek damages through the courts.

The new contract, negotiated with four manufacturers' associations in the undergarment industry, runs for three years and provides an immediate pay increase of 7½ percent for 17,000 workers here.

The agreement reached between Local 62 of the ILGWU and the associations is the first since the announcement by David Dubinsky, ILGWU president, to the effect that his union would continue to sign "no-strike" contracts where employers agreed to maintain the union shop and to resolve all disputes through arbitration.

The Local 62 pact, as announced by Louis Stulberg, manager of the local and vice-president of the parent union, binds the union not to call or approve any strikes or stoppages during the three-year term of the agreement, and for an employer's refusal to arbitrate or to comply with an arbitrator's decision. In the event of unauthorized strikes, the union commits itself to "endeavor in good faith" to get the workers back to work within 48 hours after it is notified of the walkout.

The only condition under which an employer or the union may go to court is a refusal on the part of the other party to live up to the agreement's arbitration requirements. The contract also specifies that any provision found to be in violation of the Taft-Hartley Law is to be enforced only to the extent permitted under the law, with the proviso that it is to be restored to full force and effect if the law is subsequently repealed or modified.

Local 62 retains the union shop under the new pact. The wage increase covers all classes of workers and also affects basic minimums.

Mr. Stulberg said the attitude of the four associations in the negotiations was "in no way influenced by recent legislation."

"We found them cooperative and desirous of settling the issues that are of theirs," the union official declared. "This is a no-strike contract."

Electrical Workers To Sign Conditional No-Strike Pacts

Washington, D. C.—Daniel W. Tracy, president of the International Brotherhood of Electrical Workers, announced that his union intends to "no-strike" contracts under conditions which will provide protection for the unions from the provisions of the Taft-Hartley Law.

In the public utility industries, the IBEW president urged locals to sign no-strike agreements where companies agreed to voluntary conciliation and arbitration of all disputes.

The international union also recommended to its locals continuation of no-strike clauses even where the employer in any industry has agreed to a legally valid closed shop or a real union shop.

Pending interpretation by the National Labor Relations Board, Mr. Tracy said, the IBEW has been unable to determine the security value of no-strike clauses where "only" the union shop is provided for under the Taft-Hartley Law. For this reason, he added, the IBEW "does not recommend at this time that no-strike clauses should be incorporated in contracts which provide only this new type of union security."

The no-strike clause in public utility cases, Mr. Tracy said, will commit the union not to authorize a strike or work stoppage because of any proposed changes in the agreement or disputes relating to the agreement.

The IBEW, he announced, has decided to file the necessary documents for eligibility as required by the Taft-Hartley Law. The statement that none of the union's officers are Communists, along with a statement on the union's finances.

Education Is Basis for Cooperation, Truman Tells Federation of Teachers

Boston.—The American Federation of Teachers held its 50th annual convention here devoted to the general theme "Strengthening Education for our National and World Security."

President Truman delivered the message of greeting to the 500 delegates said:

"Never before has our nation had a greater opportunity to demonstrate to the world that the enlightened practice of real democracy in all human relations is the only practical method by which peace and prosperity may be assured.

"By instilling in the hearts and minds of children youth a true sense of our dependence one upon another, our public school system lays the broad foundations for cooperative living. It will acquaint all our common life whether social, political, or economic in character."

The convention studied action necessary at local, state, and federal levels to improve the public school systems. Prominent educators presented addresses and had discussions before groups on the problems which lie ahead. Delegates came from all nationwide shortage of teachers in the nation's schools.

Commenting upon the situation, Mr. Shotwell declared: "Responsibility of the Federation said:

"With the teaching force of the United States depleted by the resignation of thousands of its trained personnel, and with very few college students preparing themselves today for a career in teaching, the people of this country are threatened with the results of oversized classes and inadequate educational opportunities and facilities."

Calling for action to increase the general level of teachers' salaries, Mr. Shotwell asserted it is high time that "the scheming tax savers, who think only in terms of dollars rather than the welfare of children, must be taught the lesson of learning can not be weighed and bought over the auction block as so much merchandise." He warned also that the National Education Association is waging a campaign "to stop the growth of the American public school system." He said that for almost a century nonpublic school interests have tried to represent the professional interests of teachers. "This is a crucial time to point out, in the current crisis in American education."

William Green, president of the American Federation of Labor, sent a message to the convention, said that the A. F. of L. has always urged labor and city central bodies to join in the movement to help provide adequate salaries for teachers in public schools.

The convention reelected Joseph F. Wall, of St. Louis, Mo., as president. Ohio, schools, as the Federation's president.

MINE MANAGER NEGLIGENT IN ILLINOIS PIT BLAST

Springfield, Ill.—The state department of mines and minerals suspended the certificate of competency of Arlie Cook, manager of the New Orient mine where an explosion July 4 killed a blast August 14, on charges of "negligence."

Cook's certificate was suspended following a preliminary report of the state mining board investigating the West Frankfort explosion. The report said:

"Evidence indicates the working place had not been examined in accordance with law preceding and entering the mine" for the night shift. Irresponsibility of the management of the mine is due to the negligence of Mine Manager Arlie Cook."

WAGE AND HOUR DIVISION GETS CHILD LABOR UNIT

Washington, D. C.—Secretary of Labor Schwellenbach announced the transfer of administration of the child labor provisions of the Fair Labor Standards Act to the Wage and Hour Division of his department.

The 1948 appropriation act provided funds for the Wage and Hour Division to take over this work from the Division of Labor Standards which was wiped out by appropriation cuts.

AFL MEAT CUTTERS UNION SENDS LEADERS TO SCHOOL

Chicago.—Earl W. Jimerson, president of the AFL's Amalgamated Meat Cutters and Butcher Workers of North America, announced that 150 union members of the AFL meat cutters union and its various locals will attend a labor school to be conducted at the University of Wisconsin.

The school will be conducted the second time it has arranged courses of instruction for AFL unions.

Under the tuition fee of six outstanding instructors, the group will study job evaluation and incentive plans, collective bargaining, labor history, arbitration, public speaking and parliamentary law, and shop steward training.

DAVID MORSE APPOINTED LABOR UNDERSECRETARY

Washington, D. C.—President Truman appointed David A. Morse as Undersecretary of Labor.

Mr. Morse served as Assistant Secretary of Labor since July 1, 1946. He devoted his activities primarily to the development of the Department's program of International affairs. In his new position he will supervise these operations, and also carry on the administrative duties of the Undersecretary.

New 'Slave' Law Now Fully Effective; Wagner Act Protections Are Eclipsed

AFL Reveals Smear Tactics Protests Attack On Padway

Los Angeles.—Joseph A. Padway, AFL General Counsel, was assaulted and knocked down by Irving G. McCann, counsel to the subcommittee of the House Labor Committee investigating labor disputes in the movie industry.

The attack upon Padway came after a series of slurs upon labor by McCann and his persistent attempts to browbeat AFL witnesses at the hearing. When Mr. Padway rose to protest the shameful tactics, McCann suddenly turned upon him, seized him by the throat and pushed him over a chair, breaking his glasses.

Upon learning of the incident, AFL President William Green, demanded the immediate removal of McCann as counsel for the Congressional committee. In a telegram to Representative Carroll D. Kearns, Chairman of the committee, and a letter to Speaker Joseph Martin of the House of Representatives, Mr. Green said McCann had disqualified himself for committee service by his "shocking and disgraceful" action.

Chairman Kearns took no forthright action in regard to the despicable action by one of his staff. He apologized to Mr. Padway, but at the same time told the press that McCann was "laboring under a great strain."

The Padway incident highlighted the disgraceful tactics employed by the Congressional committee in the testimony of numerous AFL vice-presidents, William C. Doherty, William C. Birthright, and Felix R. Knight.

Mr. Doherty, speaking for the group, charged that Rep. Kearns was guilty of misrepresentation of the facts as reported in press accounts of the inquiry.

Chairman Kearns, obviously out to "get" unions, released a statement charging that the three AFL leaders "were trying to get out of testifying."

"I am perturbed," Mr. Kearns was quoted as saying, "over the number of witnesses trying to get out of testifying." He went on to infer that the Federal Bureau of Investigation might be called in to locate witnesses.

Mr. Doherty said what the papers did not know, since the committee carefully withheld its release, is the following set of facts:

1. The three AFL witnesses had been told that their testimony was desired at the hearing until the day before Kearns released his statement, when they were told in Washington that it was "off."

2. Mr. Doherty, acting for the three men, requested a brief postponement of the hearing so that they could prepare their testimony. This request was relayed to Mr. Kearns by telegram from the staff of the House Committee on Labor and Education in Washington.

3. Despite the offer of "full cooperation" by the AFL spokesman, McCann, committee counsel, replied by wire stating "the request of W. C. Doherty is denied by order of Chairman Kearns."

In the course of the hearing Mr. Doherty was subjected to another kind of insulting treatment at the hands of Mr. McCann.

During his examination by McCann, Mr. Doherty referred in addition to the apparent bias of the questioner. McCann sneered and said:

"Here comes a man, who five years ago was a letter carrier, pretending to tell a Congressional committee how to run its affairs—a man with more than a high school education, he has to brag on."

The audience at the hearing applauded when Mr. Doherty demanded an apology to himself and "to every letter carrier in the United States postal service."

NLRB to Throw Out 3,000 Pending Cases Unless Unions File Data Under New Law

Washington, D. C.—Cases already filed with the National Labor Relations Board by CIO unions and by wholesale lots if the unions involved fail to file registration data and non-Communist affidavits required by the Taft-Hartley law.

This drastic NLRB policy was announced by Robert N. Denham, general counsel and virtual "czar" of the NLRB.

The strict interpretation of the law, made by Denham, was contained in instructions to NLRB regional offices. They were told to allow unions a 60-day period from the effective date of the complete law, August 22, within which to file registration data. If the unions do not act within this period, cases in which they are involved will be dismissed without action by the board.

It is estimated that about 3,000 cases pending in the board's regional offices will be affected by the Denham policy.

Denham announced the "dismissal" policy applies to unfair labor practice and collective bargaining elections and to cases involving alleged unfair practices on the part of employers. They will also apply where an employer petitioned for an election unless both the union and the employer file necessary data.

In a case where a petitioning union files the required data and a union which has a contract does not, Denham said the intervening union will be permitted to defend the contract at a hearing. It will be advised, however, that its intervention will be limited to that purpose and that if an election is held, it may not appear on the ballot.

The ruling that a union which has a contract and fails to comply with the registration requirements will be certain to lose its standing under the law was interpreted by labor organization. The election will be won either by the petitioning union or by a union which might vote for no union.

The NLRB has taken steps in conformity with the requirements of the act and NLRB policy concerning the processing of old charges be in ordering the dismissal of all unfair labor practice cases pending in the regional offices in which hearings have not been started and in which the charges were filed more than six months after the incident which led to the action.

Check on Federal Workers' Loyalty Begun by Civil Service Commission

Washington, D. C.—The program designed to test the loyalty of Federal employes got under way.

The Civil Service Commission, charged with the responsibility of administering the President's plan, announced that with few minor exceptions all employes on the Federal payroll as of October 1 are required to:

1. Be fingerprinted on a new form.

2. Fill out a new loyalty identification form.

These forms must be sent to the Federal Bureau of Investigation for checking against FBI records. Findings made by the FBI are to be reported to the Civil Service Commission.

In the case of persons appointed to the Federal service after October 1, the Federal Bureau of Investigation will be asked to make an investigation of any "derogatory" information brought to light from examination of files of the FBI, Civil Service Commission, military and naval intelligence, House Committee on Un-American Activities, local, state, and city police, and the records of any other Government investigative or intelligence agency.

Setting up organization in the loyalty program is the 15-man review board headed by Civil Service Chairman Ryan. It is charged with the responsibility of establishing principles and policies to implement the program, of reviewing the various agencies' loyalty problems, and of considering appeals made by accused employes and the agencies employing them.

Loyalty employes will be exempted from the loyalty probe:

Persons not paid from Federal funds but who are in industries contracted and operated by the Government;

Persons on furlough through reductions in force, military leave, or any other reason, unless they return to active duty.

Those serving under contract, unless the contract shall specifically require it, and

Persons serving under temporary, seasonal or intermittent appointment not to exceed 90 days, provided they do not have access to confidential data.

AFL Executive Council To Map Hard Fight On Measure

Washington, D. C.— The Taft-Hartley law, major handiwork of the Republican controlled, reactionary 80th Congress, became fully effective August 22.

Thus, many protections of labor's Magna Charter, the Wagner Act, were eclipsed and supplanted by the drastic, anti-labor measure designed to hamstring the labor movement and inject the Government into the conduct of labor-management relations.

Faced with the full impact of the Taft-Hartley law, the AFL Executive Council at its coming meeting in Chicago will consider the problems involved and map a campaign of forceful action against the measure.

Some of the provisions of the new law, now fully operative for the first time, are as follows:

The general counsel is established as a labor relations controller, independent of the National Labor Relations Board, while the latter is shorn of its administrative functions and is turned into a labor court.

Powers of the general counsel acted as an agent of the board, he now has authority to act upon all charges of unfair labor practices and representation cases and issuance of complaints.

Among the major new functions delegated to the general counsel is the prosecution of employes for unfair labor practices. Heretofore only employers were liable to prosecution under the labor relations act passed in 1935.

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The general counsel will investigate for the first time complaints by employers against unions which may be charged with having committed one or more of six prescribed unfair labor practices. They are as follows:

Coercion of employes in their rights of collective bargaining; discrimination under union shop contracts for reasons other than failure to pay dues; refusal to bargain; engaging in certain types of strikes and boycotts; requiring excessive or discriminatory fees under union shop agreements and engaging in "featherbedding."

The closed shop, under which employers are ruled out in certain imports, is outlawed. The union shop, in which nonunion workers may be employed if they join up in 30 days is continued but under severe restrictions.

To qualify for their rights under the act, the unions are compelled to file financial data showing salaries of officers and statements of union rules. Affidavits of chief officers swearing they are not Communists must be filed with the NLRB. Unless both provisions are complied with union cases will not be processed.

Foremen and supervisors are no longer protected in their organization rights under the law.

The new act's regulations depart from the Wagner Act in various ways. In representation proceedings, the Wagner Act made no provision for employes to defend the unit had been certified as the employes' bargaining agent. The new law makes effective a section providing for decertification of unions by petitions by employes.

Unfortunately an employer could not ask for a representation election unless two or more unions presented conflicting claims, he may now petition for an election when but one union is involved.

A new section of the law requires the board to petition the Federal courts for injunctions in certain types of cases where unfair labor practices threaten irreparable injury and may be irremediable if permitted to continue. Under the old law only the Federal Mediation and Conciliation Service as empowered to petition. The Conciliation Service was part of the Labor Department.

Under the procedures an employer or employe organization wishing to terminate or modify a contract must give written notice of intention of that intention, combined with an offer to meet and confer for the purpose.

In the meantime the contract is to remain in full force and effect. There can be no strike or lockout for 60 days after the notice has been given.

Any employe who strikes during that period may be discharged by the employer. The NLRB has been stripped of the "last and determine" jurisdictional decisions.

G. I. GUARANTEED LOANS TOTAL $5,135,500,000

Washington, D. C.—The Veterans Administration said that servicemen have borrowed more than $5,135,500,000 under the G. I. bill of rights.

The majority of veterans who have taken out loans have used the money to buy homes. Some 621,000 have, or about 87 percent, have gone for that purpose.

Only one veteran out of 14 has exercised his loan rights so far, the V. A. said. But it reminded veterans that they need be in no hurry, since the loan benefits will remain available through July 24, 1957.

FACTORY HIRING RATE UP, LAYOFFS DECLINE IN JUNE

Washington, D. C.— Layoffs decreased and seasonal expansion and more adequate supplies of materials provided increased job opportunities in manufacturing plants during June, the Bureau of Labor Statistics reported.

While the hiring rate, which rose from 48 to 52 for every 1,000 employes on the payroll during the month, was the lowest for any June since 1938, layoffs declined. Layoffs fell to 11 per 1,000. In May 14 persons in every 1,000 were laid off.

GOOGE REPORTS BIG GAINS IN AFL CAMPAIGN IN SOUTH

Wilmington, N. C.—In an address before the convention of the North Carolina Federation of Labor, George L. Googe, Southern Director for the AFL, reported progress in the AFL's organizing drive in the South.

He reported that the current Southern drive boosted the AFL membership by 420,000, of which nearly 100,000 are Negroes. Those workers are organized into about 1,500 new local unions.